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For Immediate Release

Judicial Nominating Commission releases names of nominees to fill vacant Circuit Court judgeship in Carter, Elliott and Morgan counties

FRANKFORT, Ky., July 18, 2006 — The Judicial Nominating Commission, led by Chief Justice Joseph E. Lambert, met today at the Carter County Justice Center in Grayson to choose nominees to replace Circuit Judge Samuel C. Long, who retired effective June 30, 2006. This position serves Division 1 of the 37th Judicial Circuit, which consists of Carter, Elliott and Morgan counties. Three attorneys were named as nominees to fill this vacancy: Michael B. Fox, Reid A. Glass and Rebecca K. Phillips.

The members of the Judicial Nominating Commission were attorneys Robert L. Caummisar and William H. Wilhoit, and laypersons Steven A. Burchett, Walter Langley Franklin, Virginia K. Murphy and Timothy Prichard.

Kentucky Constitution Addresses Judicial Vacancies

Section 118 of the Constitution of Kentucky imposes on the Governor the duty of appointing an interim judge when a judicial vacancy occurs. Section 118 also mandates that it is the responsibility of the Chief Justice to convene and preside over meetings of a Judicial Nominating Commission to select three qualified applicants from which the Governor must appoint. For circuit judges and district judges, the nominating commissions are local and the members selected from within the judicial circuit or district. A statewide nominating commission is convened to fill vacancies on the Court of Appeals or the Supreme Court.

Judicial Nominating Commission Process

When a judicial vacancy occurs, the executive secretary of the Judicial Nominating Commission sends a notice of vacancy to all attorneys in the judicial circuit or the judicial district affected. Attorneys can recommend someone or nominate themselves. Once that occurs, the individuals interested in the position return a questionnaire to the Office of Chief Justice. The Chief Justice then meets with the Judicial Nominating Commission to choose three nominees. The names of the applicants are not released. However, once the Judicial Nominating Commission has determined the names of the three finalists to be sent to the

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governor for selection, the Judicial Branch makes the names available to the public and the media. The credentials of these three nominees are sent to Gov. Ernie Fletcher for review. When the governor appoints the replacement, his office makes the announcement.

Circuit Court

Circuit Court is the court of general jurisdiction which hears civil matters involving more than \$4,000, capital offenses and felonies, divorces, adoptions, termination of parental rights, land dispute title cases and contested probate cases. Family Court is a division of Circuit Court.

The Administrative Office of the Courts is the operational arm of the Kentucky Court of Justice and supports the activities of more than 3,500 court system employees, including the elected offices of justices, judges and circuit court clerks. The AOC provides training and education to the state's judges.

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